



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

DAVID A. FERRERA, ET AL.

Serial No. 10/664,001

Filed: September 16, 2003

For: THREE DIMENSIONAL, LOW
FRICTION VASOOCCLUSIVE COIL,
AND METHOD OF MANUFACTURE

Examiner: Julian W. Woo

Group Art Unit: 3731

Client ID/Matter No.: MICRU 65498

Los Angeles, California 90045

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTION

UNDER 37 C.F.R. 1.321

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, MICRUS CORPORATION, a Delaware corporation, Assignee, having a place of business at 821 Fox Lane, San Jose, CA 95131, is the assignee and owner of 100 percent interest in the instant application, Serial No. 10/664,001, filed September 16, 2003, which is a continuation-in-part of co-pending Serial No. 09/140,495 filed August 27, 1998 now Patent No. 6,171,326, and Serial No. 09/089,328 filed June 2, 1998 now Patent No. 6,090,125, which was a continuation of Serial No. 08/799,439 filed February 13, 1997, now Patent No. 5,766,219, which is a continuation of Serial No. 08/425,106

filed April 20, 1995, now Patent No. 5,645,558. The assignment document has been reviewed, and petitioner hereby certifies that, to the best of petitioner's knowledge and belief, title in the instant application, Serial No. 10/664,001, is in petitioner.

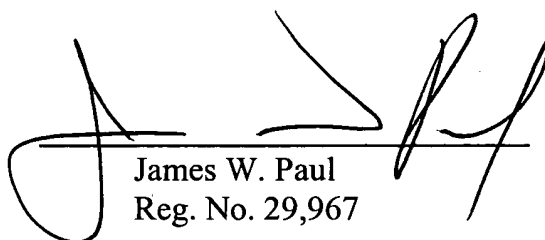
Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of Patent No. 6,638,291, which is also owned by Petitioner. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and Patent No. 6,638,291 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of Patent No. 6,638,291, as presently shortened by any terminal disclaimer, in the event that any of them later expires for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, have all claims cancelled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

September 27, 2006



James W. Paul
Reg. No. 29,967

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